

### REMARKS

Reconsideration and allowance of the present patent application based on the following remarks are respectfully requested.

Claims 1-13 are presently pending. Claims 2-10, 12 and 13 have been amended to correct minor informalities. Claims 14-15 are newly added. Support for the instant amendments and new claims 14-15 is provided throughout the as-filed specification, including for example, Figures 3 and 4 and page 5, line 14 – page 7, line 25. Thus, no new matter has been added. As such, claims 1-15 are currently presented for examination of which claims 1 and 11 are independent.

### CLAIM OBJECTIONS

Applicants have amended claims 12 and 13, thereby mooted the objections made thereto.

### CLAIM REJECTIONS UNDER 35 U.S.C. §102

Applicants' claim 1 recites, *inter alia*, an air flow control device arranged at the side of the air flow generator and selectively configurable to control the air flow path whereby the temperature of air flowing to the disk drive unit can be controlled.

Muncaster discloses a disk drive mounting device including both a temperature control module and a carrier module secured together in such a way that the temperature control module can control the temperature of a disk drive unit within the carrier module. As can be seen from Figure 1 and in particular Figure 3, Muncaster's centrifugal fan is provided within the temperature control module 2 to provide air flow over a disk drive within the disk drive carrier module 3.

Referring to Muncaster's description at paragraph [0074], in fact very little is said about the air flow control device. What Muncaster actually describes is the use of a "baffle 260" in the form of an upstanding semi-circular wall which can be pivoted about a vertical axis by a motor 268. Muncaster then makes reference to the co-pending application WO-A-01/41148, which is an earlier application assigned to the same assignee as the current application.

In WO-A-01/41148 it is made clear that the baffle is located underneath the fan and not on one of its sides. This is clearly understood with reference to the Figures which show that the baffle is positioned underneath the fan and not to its side as required by claim 1 of the present

application. Thus, the baffle 260 in Muncaster to which the examiner now refers is not an air flow control device arranged at the side of the air flow generator selectively configurable to control the air flow path whereby the temperature of air flowing to the disk drive unit can be controlled. In fact, the manner by which the temperature of a disk drive can be controlled in Muncaster is by a combination of the baffle 260 and other features such as the openings in the side wall. The "air flow control device" of claim 1 is required to be positioned at the side of the air flow generator and it is clear that the baffle in Muncaster is provided underneath the air flow generator and not to its side.

Applicants recited air flow device provides significant advantages. In particular, as described in the present application at page 3, lines 5 to 13, "... since the air flow control device is arranged at the side of the fan within the temperature control device, the volume (principally the height) occupied by the temperature control device is smaller in comparison to previously available temperature control devices. Accordingly, Applicants' claimed invention provides a solution to the problem of providing a temperature control device with which the temperature disk drive unit can be controlled independently of any other associated disk drive units while simultaneously minimizing the volume required for the temperature control device". This is neither disclosed nor suggested in Muncaster.

The reduction in volume of the temperature control device as compared to Muncaster is significant. As can be seen by comparison of the general dimensions of the device of the present application and that of Muncaster, the Muncaster structure is effectively a double height structure as compared to the tray-structure of the present invention. This is a consequence of the fact that the baffle in Muncaster is underneath the air flow generator and not to its side. It is particularly significant when plural devices are provided together in an assembly such as that shown in Figure 5 of the present application. It would be appreciated that were the assembly of Figure 5 to be changed such that the individual units were those of Figure 1 of Muncaster, the overall volume of the assembly would be greatly increased. Thus, the presently claimed invention enables a significant reduction in the volume of the device without the forfeit of any functionality.

It is to be noted that although Muncaster's Figure 1 discloses an arrangement in which two disk drives are tested is provided, there is no individual control of the temperature of the disk drives as there is only a single temperature control device shared between them. Thus, although

in Muncaster's "double height" structure two disk drives can be tested simultaneously in the one structure, there is a loss in functionality due to the shared temperature control device as compared to the present invention. In contrast, using the assembly of the presently claimed invention, the same number of disk drives can effectively be tested while enabling individual control of the temperature conditions for each of the disk drives.

This recited feature is particularly relevant with reference to Applicants' claim 11. As explained above, an assembly made up of a plurality of temperature control devices of claim 1 of the present application, would be significantly smaller in volume while providing effectively the same functionality as compared to a similar assembly made up of devices of Muncaster. This means that within the same test track, using temperature control devices of the presently claimed invention, a large number of disk drives can be tested at one time as compared to the number that could be tested at one time if devices of Muncaster are used. Alternatively, to test the same number of disk drives a smaller assembly would suffice. Clearly this recited claim feature is novel and non-obvious over the cited prior art.

Thus, for all of the foregoing reasons, Muncaster does not disclose all elements of Applicants' claimed invention, and therefore is not a proper basis for a §102(b) rejection thereof. Nor is there any disclosure or teaching in Muncaster that would have suggested Applicants' claimed invention to one of ordinary skill in this art. Thus reconsideration and withdrawal of this rejection, and allowance of all claims is respectfully requested.

New claims 14 and 15 are added. There is no disclosure or suggestion in Muncaster of the arrangement of either of claims 14 or 15. In particular, by providing a linearly slidable valve at the same vertical level within the temperature control device as the air flow generator, the volume required for the temperature control device is significantly reduced as compared to Muncaster.

### CONCLUSION

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

Please charge any fees associated with the submission of this paper to Deposit Account Number **033975 (Ref. No. 011765-0325709)**. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,



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